

EXHIBIT 13



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April 10, 2018

Nan “Judy” Luo
c/o Yanling Jian at JianIP LLC
233 South Wacker Drive, 84th Floor
Chicago, IL 60606
yanling@jiangip.com

Re: Unauthorized use of PEPPERCORNS and related trademarks

Dear Ms. Luo:

We represent The Boiling Point, Inc. (“TBP”) with respect to its intellectual property and other legal matters. As a former TBP shareholder, you know that TBP has used the mark “PEPPERCORNS KITCHEN,” as well as the Chinese mark “巴國演義” in connection with its Evanston, Illinois restaurant since at least January, 2016.

It has come to our attention that you have recently begun using the identical mark “PEPPERCORNS KITCHEN” and “巴國演義” in connection with a competing restaurant in Westmont, Illinois, less than 30 miles from our client’s location. In the short time period since your restaurant opened, this blatant infringement of our client’s mark has already caused actual consumer confusion, as evidenced by customer reviews suggesting a mistaken belief that the restaurant is a “Cass location” of a larger chain (see attached), presumably one affiliated with TBP’s Evanston restaurant.

Compounding this new infringement is your continuing use of both “PEPPERCORNS KITCHEN” and “巴國演義”/“*baguo yanyi*” in connection with a restaurant in Indiana, as well as your filing of two separate applications to register these marks with the United States Patent and Trademark Office (Serial Nos. 86973247 and 87796001). We also note that you appear to have adopted trade dress and design elements similar or identical to our client’s brand (see attached), further encouraging consumers to mistakenly believe that the restaurants are affiliated.

Finally, you have copied without authorization and used for your own purposes original materials in which our client owns a valid copyright, including its promotional photographs and artwork (the “TBP Materials”) (see attached).

We therefore demand that you (1) immediately cease use of the name “PEPPERCORNS” and any similar word or mark in connection with your Westmont restaurant; (2) immediately cease use of the name “巴國演義,” “*baguo yanyi*,” and any similar marks or phrases in connection

with restaurant services, whether in Illinois or elsewhere; (3) file an express abandonment of your trademark application, serial no. 87796001; and (4) immediately cease use of all proprietary TBP Materials. If we do not receive a response affirming your compliance with the foregoing demands by close of business on April 13, 2018, we intend to proceed with a lawsuit seeking injunctive relief and damages for trademark infringement, unfair competition, copyright infringement, and such other causes of action as arise from your conduct.

Best,

/s/ Daliah Saper
Daliah Saper

Yelp Review Referencing “Cass location”

Secure | <https://www.yelp.com/biz/peppercorns-kitchen-westmont>



Noli G.
Darien, IL
5 friends
2 reviews

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 3/26/2018

First time to come by at their Cass Ave location (used to be Big Boss restaurant but I was told this is completely a new restaurant and totally different management) and I went for the stir fry pork intestine for \$12.95. This is really a good dish! I love it soooo much! Clean tasting, authentic Szechuan flavor and the spice is not overwhelming to the taste bud. Owner/manager very helpful and very attentive to their customers. I'm so excited and thankful to have this new place I can call my favorite place to go for lunch and dinner. Can't wait to come back and try all their chef's special and lunch menu too. Definitely I will bring friends and family here - highly recommended! Place is really clean and restroom no issues at all. I give this place 5 out of 5 star!

Was this review ...?

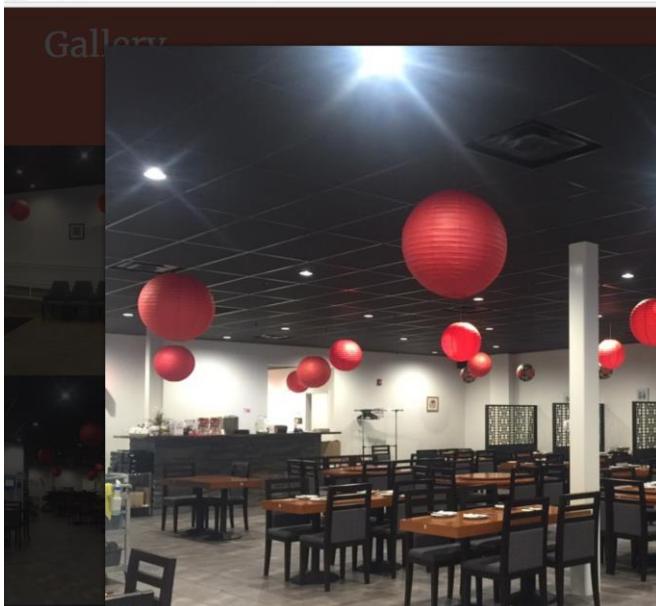
 Useful  Funny  Cool

Comparison of Trade Dress

<https://www.peppercornskitchen.com/visit-us>



<http://www.peppercornskitchenmenu.com/gallery/>



Comparison of Trademark Design Elements



Examples of Copyright Infringement (1/2)

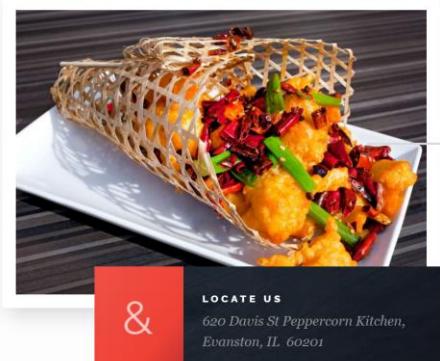
/www.peppercornskitchen.com/gallery#Navbar



www.peppercornskitchenmenu.com/gallery/



<https://www.peppercornskitchen.com>



OUR LOCATION

Evans

Small walk after a
of the original Ch

OPEN IN GO

LOCATE US
620 Davis St Peppercorn Kitchen,
Evanston, IL 60201

https://www.yelp.com/biz_photos/peppercorns-kitchen-westmont



Examples of Copyright Infringement (2/2)

<https://www.peppercornskitchen.com>

